



PATENT
SYRTECH-5002-C10

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Peter R. David

Serial No.: 10/060,963

Filed: January 29, 2002

For: METHOD FOR CAUSING FLUID
MOVEMENT BY CENTRIFUGAL
FORCE

)
) Group Art Unit: 1765

)
) Examiner: Robert M. Kunemund

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. Applicant believes that a copy of each of the items identified on the attached form PTO-1449 have previously been made of record for this application, except for the article "Lab-on-a-Chip Based Protein Crystallization". Therefore, copies are not being submitted with this IDS, except for the above-identified article, which is attached. However, if the Examiner would like copies of the other cited references, Applicant will provide the references upon request.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


01/28/2004 CCHAU1 00000240 502256 10060963

02 FC:1806 180.00 DA

January 20, 2004
Date of Deposit

Linda Johnson

Name of Person Mailing Paper


Signature of Person Mailing Paper

USC § 102 with respect to this invention unless specifically designated by Applicant as such.

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☐ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☒ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☒ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fee(s).
☒ Please charge to Deposit Account No. **50-2256** for the above fee(s).

Although Applicant does not believe any additional fees are required, the Commissioner is authorized to charge any fees required by the filing of these papers to Syrrx's Deposit Account No. **50-2256**.

Respectfully submitted,

SYRRX, INC.

Dated: January 20, 2004

By: David J. Weitz
David J. Weitz
Reg. No. 38,362
General Counsel, V.P. of Intellectual
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	10/060,963
Filing Date	January 29, 2002
First Named Inventor	Peter R. David
Group Art Unit	1765
Examiner Name	Robert M. Kunemund
Attorney Docket Number	SYRTECH-5002-C10

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date/ Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	AA	US 2002/0137218-A1	09-26-2002	Mian et al.	
	AB	US- 2002/0189529-A1	12-19-2002	David et al.	
	AC	US- 2002/0189530-A1	12-19-2002	David	
	AD	US- 2002/0195046-A1	12-26-2002	David et al.	
	AE	US- 2002/0195047-A1	12-26-2002	David	
	AF	US- 2002/0195048-A1	12-26-2002	David	
	AG	US- 2002/0195049-A1	12-26-2002	David	
	AH	US- 2002/0195050-A1	12-26-2002	David	
	AI	US- 2002/0195052-A1	12-26-2002	David	
	AJ	US- 2003/0005877-A1	01-09-2003	David	
	AK	US- 2003/0154910-A1	08-21-2003	David	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AL	Sanjoh et al., "Spatiotemporal protein crystal growth studies using microfluidic silicon devices", Journal of Crystal Growth Vol. 196 (1999) pages 691-702.	Cited by Examiner
	AM	VAN DER WOERD, MARK, Lab-on-a-Chip Based Protein Crystallization, Presentation: NASA, Marshall Space Flight Center, 10/25/01 (27 pages)	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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